

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1036
96TH GENERAL ASSEMBLY

4221S.02T

2012

AN ACT

To repeal sections 115.123 and 115.241, RSMo, and to enact in lieu thereof one new section relating to elections.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 115.123 and 115.241, RSMo, are repealed and one new section
2 enacted in lieu thereof, to be known as section 115.123, to read as follows:

115.123. 1. All public elections shall be held on Tuesday. Except as provided in
2 subsections 2[,] **and 3**[, and 4] of this section, and section 247.180, all public elections shall be
3 held on the general election day, the primary election day, the general municipal election day,
4 the first Tuesday after the first Monday in [February or] November, or on another day expressly
5 provided by city or county charter, [the first Tuesday after the first Monday in June] and in
6 nonprimary years on the first Tuesday after the first Monday in August. **Bond elections may**
7 **be held on the first Tuesday after the first Monday in February but no other issue shall be**
8 **included on the ballot for such election.**

9 2. Notwithstanding the provisions of subsection 1 of this section, an election for a
10 presidential primary held pursuant to sections 115.755 to 115.785 shall be held on the first
11 Tuesday after the first Monday in [March] **February** of each presidential election year.

12 3. The following elections shall be exempt from the provisions of subsection 1 of this
13 section:

14 (1) Bond elections necessitated by fire, vandalism or natural disaster;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 15 (2) Elections for which ownership of real property is required by law for voting; [and]
16 (3) Special elections to fill vacancies and to decide tie votes or election contests; **and**
17 **(4) Tax elections necessitated by a financial hardship due to a five percent or**
18 **greater decline in per-pupil state revenue to a school district from the previous year.**
- 19 4. [No city or county shall adopt a charter or charter amendment which calls for elections
20 to be held on dates other than those established in subsection 1 of this section.
- 21 5.] Nothing in this section prohibits a charter city or county from having its primary
22 election in March if the charter provided for a March primary before August 28, 1999.
- 23 [6.] **5.** Nothing in this section shall prohibit elections held pursuant to section 65.600,
24 but no other issues shall be on the March ballot except pursuant to this chapter.
- 2 [115.241. Each party emblem shall be printed on the ballot above the
party caption.]

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